

Gregory L. Lippetz (State Bar No. 154228)
Jane L. Froyd (State Bar No. 220776)
JONES DAY
1755 Embarcadero Road
Palo Alto, California 94303
Telephone: (650) 739-3939
Facsimile: (650) 739-3900
glippetz@jonesday.com
jfroyd@jonesday.com

Attorneys for Plaintiff
LUMASENSE TECHNOLOGIES

Michael I. Katz (State Bar No. 181728)
THOMAS WHITELAW & TYLER LLP
18101 Von Karman Avenue, Suite 230
Irvine, California 92612
Telephone: (949) 679-6400
Facsimile: (949) 679-6405
mkatz@twtlaw.com

W. Paul Schuck (State Bar No. 203717)
Gabriel Z. Reynoso (State Bar No. 234027)
THOMAS WHITELAW & TYLER LLP
Three Embarcadero Center, Suite 1350
San Francisco, California 94111
Telephone: (415) 820-0400
Facsimile: (415) 820-0405
pschuck@twtlaw.com
greynoso@twtlaw.com

Attorneys for Defendant
NEOPTIX, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LUMASENSE TECHNOLOGIES,

Plaintiff,

v.

NEOPTIX, INC.,

Defendant.

Case No. C-09-02023-WHA

**STIPULATED REQUEST FOR
DISMISSAL OF CLAIMS WITH
PREJUDICE AND ~~PROPOSED~~
ORDER**

1 Plaintiff LumaSense Technologies (“LumaSense”) and Defendant Neoptix, Inc.
2 (“Neoptix”) inform the court that they have reached agreement on the terms of dismissal of the
3 claims in the above-titled action and hereby submit this Stipulation of Dismissal.

4 Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties
5 hereby stipulate to dismiss all claims in this action asserted by LumaSense against Neoptix with
6 prejudice. The parties stipulate that each party will bear its own costs and attorneys’ fees relating
7 to the dismissed claims.

8
9 SO STIPULATED.

10
11
12 Dated: December 21, 2009

/s/ Gregory L. Lippetz

Gregory L. Lippetz
JONES DAY

Counsel for Plaintiff
LUMASENSE TECHNOLOGIES

13
14
15
16
17
18 In accordance with General Order No. 45, Section X(B), the above signatory attests that
19 concurrence in the filing of this document has been obtained from the signatory below.

20
21 Dated: December 21, 2009

/s/ Michael I. Katz

Michael I. Katz
THOMAS WHITELAW & TAYLOR LLP

Counsel for Defendant
NEOPTIX, INC.

22
23
24
25
26
27 SVI-75946
28

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. **THE CLERK SHALL CLOSE
THE FILE.**

Dated: December 21, 2009.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

